



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:)
Inventor: KARP, Christoph D., et al.) Group Art Unit: 2855
Serial No.: 10/697,923) Examiner: CYGAN, Michael T.
Filed: October 29, 2003) Attorney Docket: 131-US
For: PRESSURIZED MICROFLUIDIC)
DEVICES WITH OPTICAL DETECTION)
REGIONS)

DECLARATION OF STEPHEN D. O'CONNOR IN SUPPORT OF RESPONSE TO OFFICIAL ACTION MAILED APRIL 14, 2005

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

1. My name is Stephen D. O'Connor, and I am the President and CEO of Nanostream, Inc. I founded Nanostream in February 1999, and have held the positions of President and CEO since the company's inception.
2. Each employee of Nanostream, Inc. is required to sign an employment agreement at the time the employee is hired by Nanostream. Every employment agreement includes provisions obligating the employee to assign to Nanostream, Inc. any and all inventions made during the course of their employ at Nanostream.
3. In the case of the present application, U.S. serial number 10/697,923 entitled "Pressurized Microfluidic Devices With Optical Detection Regions," an assignment to Nanostream, Inc. was executed by both co-inventors on February 11,

2004. I understand that this assignment was subsequently recorded by the USPTO at Reel 014986 and Frame 0944. True and correct copies of the assignment of U.S. application serial number 10/697,923 and related USPTO recordation documents are attached hereto as Exhibit A.

4. In the case of a previous application, U.S. serial number 10/256,505 entitled "Frit Material and Bonding Method for Microfluidic Separation Devices," an assignment to Nanostream, Inc. was executed by the two co-inventors on September 27, 2002. I understand that this assignment was subsequently recorded by the USPTO at Reel 013345 and Frame 0923. I also understand that this application serial number 10/256,505 matured into U.S. Patent No. 6,814,859 on November 9, 2004. True and correct copies of the assignment of U.S. application serial number 10/256,505 and related USPTO recordation documents are attached hereto as Exhibit B.

5. I declare under penalty of perjury that the facts set forth in this declaration are true and correct, that all statements made of my own knowledge are true, and that all statements made on information and belief are believed to be true. I have been hereby warned that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001, and that such willful false statements may jeopardize the validity of the application or any resulting registration.

Executed at Pasadena, California, this 21 day of April, 2005.



Stephen D. O'Connor
President and CEO
Nanostream, Inc.



JANUARY 10, 2003

PTAS

Under Secretary of Commerce For Intellectual Property and
Director of the United States Patent and Trademark Office
Washington, DC 20231
www.uspto.gov

NANOSTREAM, INC.
VINCENT K. GUSTAFSON
580 SIERRA MADRE VILLA AVE.
PASADENA, CA 91107



102241632A

UNITED STATES PATENT AND TRADEMARK OFFICE
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 09/27/2002

REEL/FRAME: 013345/0923
NUMBER OF PAGES: 3

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:
KOEHLER, JEFFREY A.

DOC DATE: 09/27/2002

ASSIGNOR:
PATEL, PAREN P.

DOC DATE: 09/27/2002

ASSIGNEE:
NANOSTREAM, INC.
580 SIERRA MADRE VILLA
PASADENA, CALIFORNIA 91107

SERIAL NUMBER: 10256505
PATENT NUMBER:

FILING DATE: 09/27/2002
ISSUE DATE:

MARY BENTON, EXAMINER
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS

MAY 02 2005

Docket No. NS-118 Div 1

10-04-2002



102241632

To the Honorable Commissioner of Patents

HEET

U.S. DEPARTMENT OF COMMERCE
Patent and Trademark Office

Attached original documents or copy thereof

1. Name of conveying party(ies):

Jeffrey A. Koehler, Paren P. Patel

Additional name(s) of conveying party(ies) attached?

 Yes No

3. Nature of conveyance:

Assignment Merger
 Security Agreement Change of Name

 Other _____

Execution Date: September 27, 2002

2. Name and address of receiving party:

Name: Nanostream, Inc.

Internal Address: _____

City: _____ State: _____ Zip: _____

Street Address: 580 Sierra Madre Villa

City: Pasadena State: California Zip: 91107

Additional name(s) & address(es) attached? Yes No

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is: September 27, 2002

A. Patent Application No(s).: _____

B. Patent No(s).: _____

10256505

Additional numbers attached? Yes No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Vincent K. Gustafson

Internal Address: Nanostream, Inc.

580 Sierra Madre Villa Ave.
Pasadena, CA 91107

6. Total number of applications and patents involved: 1

7. Total fee (37 CFR 3.41): \$ 40.00

 Enclosed Charge this Deposit Account if any additional fee is required

8. Deposit Account Number: _____

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9. Statement and signature:

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Michael F. Labbee, Reg. No. 39,738

Date: 9/27/02

Total number of pages including cover sheet: 3

OMB No. 0651-0011 (exp. 4/94)

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Mail documents to be recorded with required cover sheet information to:

Director — U.S. Patent and Trademark Office

Box Assignments

Washington, D.C. 20231

10/01/2002 RMEBRAHT 00000041 10256505

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40.00 DP

Public burden reporting for this sample cover sheet is estimated to average about 30 minutes per document to be recorded, including time for reviewing the document and gathering the data needed, and completing and reviewing the sample cover sheet. Send comments regarding this burden estimate to the U.S. Patent and Trademark Office, Office of Information Systems, PK2-1000C, Washington, D.C. 20231, and to the Office of Management and Budget, Paperwork Reduction Project, (0651-0011), Washington, D.C. 20503

ASSIGNMENT

For good and valuable consideration, the receipt of which is hereby acknowledged, we, the undersigned, inventors:

Jeffrey A. Koehler, 1270 Cordova St #20, Pasadena, CA 91106

Paren P. Patel, 90 Suffolk Ave. #7, Sierra Madre, CA 91024

who have created a certain invention for which an application for United States Letters Patent entitled **FRIT MATERIAL AND BONDING METHOD FOR MICROFLUIDIC SEPARATION DEVICES** has been executed and

is filed herewith;

was filed in the U.S. Patent and Trademark Office on _____ and assigned Serial Number _____;

Do hereby sell, assign and transfer to Nanostream, Inc., a Delaware corporation having a place of business at 580 Sierra Madre Villa, Pasadena, California 91107, its successors, assigns, and legal representatives, the full and exclusive right to said invention and said application and to any and all inventions described in said application for the United States, its territorial possessions and all foreign countries, and the entire right, title and interest in and to any and all Letters Patent which may be granted therefore in the United States, its territorial possessions and all foreign countries; and in and to any and all continuations-in-part, continuations, divisions, substitutes, reissues, extensions thereof, and all other applications for Letters Patent relating thereto which have been or shall be filed in the United States, its territorial possession and/or any foreign countries, and all rights, together with all priority rights, under any of the international conventions, unions, agreements, acts, and treaties, including all future conventions, unions, agreements, acts, and treaties; and

Agree that Nanostream, Inc., hereinafter referred to as Assignee, may apply for and receive Letters Patent for said invention and said inventions, hereinafter referred to as said invention, in its own name, in the United States, its territorial possessions, and all foreign countries; and that, when requested to carry out in good faith the intent and purpose of this assignment, at the expense of said Assignee, its successors, assigns and legal representatives, the undersigned will execute all continuations-in-part, continuations, divisions, substitutes, reissues, extensions thereof, execute all rightful oaths, assignments, powers of attorney and other papers, testify in any legal or quasi legal proceedings; communicate to said Assignee, its successors, assigns or legal representatives all facts known to the undersigned relating to said invention and the history thereof; and generally do everything possible which said Assignee, its successors, assigns, or legal representatives shall consider desirable for aiding in securing, maintaining and enforcing proper patent protection for said invention and for vesting title to said invention and all applications for patents on said invention in said Assignee, successors, assigns, or legal representatives;

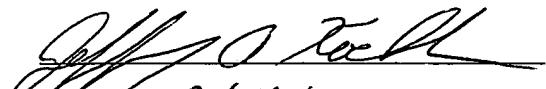
The terms "Application" and Application for Letters Patent" as used herein include both provisional and non-provisional applications;

Inventor(s) hereby authorizes the above-mentioned Assignee or its legal representative to insert in this instrument the filing date and serial number of said Application or any other information that may be necessary or desirable in order to comply with the rules of the United States Patent and Trademark Office for recordation of this document; and

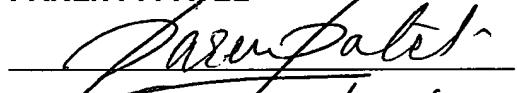
Covenant with said Assignee, its successors, assigns, or legal representatives that no assignment, grant, mortgage, license or other agreement affecting the rights and property herein conveyed has been made to others by the undersigned, and that full right to convey the same has herein expressed is possessed by the undersigned.

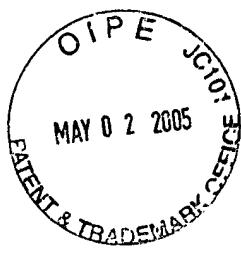
IN THE TESTIMONY WHEREOF I have hereunto set my signature on the date indicated below.

JEFFREY A. KOEHLER


Date: 9/27/02

PAREN P. PATEL


Date: 09/27/02



UNITED STATES PATENT AND TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE

AUGUST 14, 2004

PTAS



NANOSTREAM, INC.
VINCENT K. GUSTAFSON
580 SIERRA MADRE VILLA AVENUE
PASADENA, CA 91107-2928

102674706A

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RECORDATION DATE: 02/17/2004

REEL/FRAME: 014986/0944

NUMBER OF PAGES: 3

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

KARP, CHRISTOPH D.

DOC DATE: 02/11/2004

ASSIGNOR:

PATEL, PAREN P.

DOC DATE: 02/11/2004

ASSIGNEE:

NANOSTREAM, INC.
580 SIERRA MADRE VILLA AVENUE
PASADENA, CALIFORNIA 91107

SERIAL NUMBER: 10697923

FILING DATE: 10/29/2003

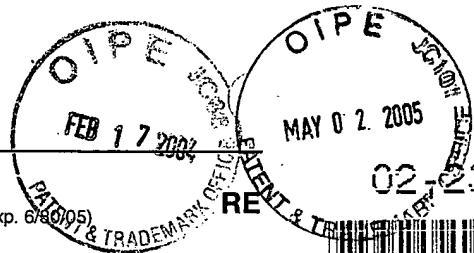
PATENT NUMBER:

ISSUE DATE:

TITLE: PRESSURIZED MICROFLUIDIC DEVICES WITH OPTICAL DETECTION REGIONS

014986/0944 PAGE 2

MARGARET LASALLE, PARALEGAL
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS



MAY 02. 2005

02-23-2004

U.S. DEPARTMENT OF COMMERCE
Patent and Trademark Office

Docket No. 131-US



102674706

To the Honorable Commissioner of Patents and Trademarks. Please record the attached original documents or copy thereof.

1. Name of conveying party(ies): <u>Christoph D. Karp</u> <u>Paren P. Patel</u> Additional name(s) of conveying party(ies) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	2. Name and address of receiving party: Name: <u>Nanostream, Inc.</u> Internal Address: _____ City: _____ State: _____ Zip: _____ Street Address: <u>580 Sierra Madre Villa Avenue</u> City: <u>Pasadena</u> State: <u>California</u> Zip: <u>91107-2928</u> Additional name(s) & address(es) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
3. Nature of conveyance: <input checked="" type="checkbox"/> Assignment <input type="checkbox"/> Merger <input type="checkbox"/> Security Agreement <input type="checkbox"/> Change of Name <input type="checkbox"/> Other _____ Execution Date: <u>February 11, 2004</u>	

4. Application number(s) or patent number(s): If this document is being filed together with a new application, the execution date of the application is: _____	A. Patent Application No(s).: <u>10/697,923</u> B. Patent No(s).: _____ Additional numbers attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
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5. Name and address of party to whom correspondence concerning document should be mailed: Name: <u>Vincent K. Gustafson</u> Internal Address: Street Address: Nanostream, Inc. 580 Sierra Madre Villa Avenue Pasadena, CA 91107-2928	6. Total number of applications and patents involved: <u>1</u> 7. Total fee (37 CFR 3.41): <u>\$ 40.00</u> <input checked="" type="checkbox"/> Authorization to charge Deposit Account Number <u>502454</u> . <input checked="" type="checkbox"/> Charge this Deposit Account if any additional fee is required 8. Deposit Account Number: <u>502454</u>
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9. Signature

Vincent K. Gustafson, Reg. No. 46.182
Name of Person Signing

Vincent K. Gustafson
Signature

February 11, 2004
Date

Total number of pages including cover sheet, attachments, and documents: 3

Mail documents to be recorded with required cover sheet information to:

Mail Stop Assignments, Commissioner for Patents
P.O. Box 1450, Arlington, VA 22313-1450

ASSIGNMENT

For good and valuable consideration, the receipt of which is hereby acknowledged, we, the undersigned, inventors:

Christoph D. Karp, 335 South Grand Oaks Avenue, Pasadena, CA 91107, USA

Paren P. Patel, 90 Suffolk Avenue #7, Sierra Madre, CA 91024, USA

who have created a certain invention for which an application for United States Letters Patent entitled **PRESSURIZED MICROFLUIDIC DEVICES WITH OPTICAL DETECTION REGIONS** has been executed and

- is filed herewith;
- was filed in the U.S. Patent and Trademark Office on October 29, 2003 and assigned Serial Number 10/697,923;

Do hereby sell, assign and transfer to Nanostream, Inc., a Delaware corporation having a place of business at 580 Sierra Madre Villa Avenue, Pasadena, California 91107-2928, its successors, assigns, and legal representatives, the full and exclusive right to said invention and said application and to any and all inventions described in said application for the United States, its territorial possessions and all foreign countries, and the entire right, title and interest in and to any and all Letters Patent which may be granted therefore in the United States, its territorial possessions and all foreign countries; and in and to any and all continuations-in-part, continuations, divisions, substitutes, reissues, extensions thereof, and all other applications for Letters Patent relating thereto which have been or shall be filed in the United States, its territorial possession and/or any foreign countries, and all rights, together with all priority rights, under any of the international conventions, unions, agreements, acts, and treaties, including all future conventions, unions, agreements, acts, and treaties; and

Agree that Nanostream, Inc., hereinafter referred to as Assignee, may apply for and receive Letters Patent for said invention and said inventions, hereinafter referred to as said invention, in its own name, in the United States, its territorial possessions, and all foreign countries; and that, when requested to carry out in good faith the intent and purpose of this assignment, at the expense of said Assignee, its successors, assigns and legal representatives, the undersigned will execute all continuations-in-part, continuations, divisions, substitutes, reissues, extensions thereof, execute all rightful oaths, assignments, powers of attorney and other papers, testify in any legal or quasi legal proceedings; communicate to said Assignee, its successors, assigns or legal representatives all facts known to the undersigned relating to said invention and the history thereof; and generally do everything possible which said Assignee, its successors, assigns, or legal representatives shall consider desirable for aiding in securing, maintaining and enforcing proper patent protection for said invention and for vesting title to said invention and all applications for patents on said invention in said Assignee, successors, assigns, or legal representatives;

The terms "Application" and "Application for Letters Patent" as used herein include both provisional and non-provisional applications;

Inventor(s) hereby authorizes the above-mentioned Assignee or its legal representative to insert in this instrument the filing date and serial number of said Application or any other information that may be necessary or desirable in order to comply with the rules of the United States Patent and Trademark Office for recordation of this document; and

Covenant with said Assignee, its successors, assigns, or legal representatives that no assignment, grant, mortgage, license or other agreement affecting the rights and property herein conveyed has been made to others by the undersigned, and that full right to convey the same has herein expressed is possessed by the undersigned.

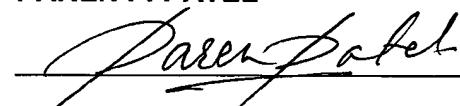
IN THE TESTIMONY WHEREOF I have hereunto set my signature on the date indicated below.

CHRISTOPH D. KARP



Date: 2/11/04

PAREN P. PATEL



Date: 2/11/04